

Equal Employment Opportunity (EEO)

Policy

It is the policy of the DGS to provide a safe non-hostile and discrimination free environment and equal access to programs, activities and services for departmental employees and staff as explained in Administrative Order (AO) 06-02 and 06-03.

Employee rights

An individual who utilizes the discrimination complaint process is entitled to certain rights and guarantees. These rights must be discussed with the complainant at the initial stages of the complaint process. The EEO Counselor and/or the EEO Investigator must ensure the complainant clearly understands each right. These rights include:

- An informal, confidential presentation of a complaint to a competent EEO Counselor*
- To keep their complaint confidential until such time as they give their EEO Counselor permission to do otherwise, in order to bring the complaint to the appropriate authority for remedy; or until such time as a **formal** complaint is filed.*
- To a full, impartial and prompt investigation by a trained departmental investigator.*
- To a timely, written decision from the appointing power, after full consideration of all relevant facts and circumstances.
- To be represented by a person of his/her own choosing at each and all steps of the process.*
- To appeal the appointing power's decision within 30 days to the State Personnel Board and/or file a complaint with the appropriate Federal or State agency.
- To be free from reprisals after filing a complaint.
- To be notified in writing when a formal complaint has been filed and when a final decision has been made.*

*Also applies to employees responding to a complaint (respondents).

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Equal Employment Opportunity (EEO), Continued

Contact information

The EEO Office of the DGS is responsible for administering the EEO program for the department. The EEO website, located at <http://eeo.dgs.ca.gov/default.htm>, provides valuable information on:

- Training
- Reasonable accommodation
- EEO complaint process
- List of EEO Counselors
- EEO policies
- Mediation
- DAC meetings
- Forms and Templates
- Related Links
- Disability awareness training
- Frequently asked questions (FAQs)

The telephone number of the EEO Office is (916) 376-5127.

Whistleblower Retaliation Complaint process

Any state employee or applicant for state employment who believes that s/he has been retaliated against in employment for having reported improper governmental activity, as that phrase is defined in Government Code (GC) section 8547.2(b), or Education Code section 87162(c) or for having refused to obey an illegal order or directive, as defined in GC section 8547.2(e), or Education Code section 87162(b), may file a complaint and/or appeal with the State Personnel Board (SPB) in accordance with the provisions set forth in Sections 56.1-56.8.

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Resources The following table identifies various resources regarding equal employment opportunity.

Resource	Section
Administrative Orders http://msd.dgs.ca.gov/ao.htm	06-02, 06-03
Executive Orders http://www.governor.ca.gov/state/govsite/gov_htmldisplay.jsp?sFilePath=/govsite/executive_orders/20040331_S-6-04.html&sCatTitle=Executive%20Orders&iOId=55943&sTitle=Executive%20Orders%20%20&BV_SessionID=@ @ @ @1929109800.1083337375 @ @ @ &BV_EngineID=cccdadclgfjmkmgcfngcfkmdffidfof.0	S-6-04
Laws and Regulations http://www.dpa.ca.gov/statesys/dpa/laws.htm http://www.dpa.ca.gov/statesys/dpa/oalrules.htm http://www.dfeh.ca.gov/Statutes/statutes.asp	GC: 18701, 8547.2, 8547.8, 19683, 18500, 12900, 12940, 18930.5, 11092, 11092.5, 11139.6, 12926, 12926.1, 12940, 18523, 18675, 18952, 19230, 19240, 19241, 19700, 19790 et seq. Education Code: 87162, 87164 Rules: 10, 56.1-56.8, 53, 54-54.2, 547-547.2, 250, 547.58, 547.79-547.806, 547.807-547.8191 Labor Code: 1101, 1102 Federal Laws: Civil Rights Act of 1964 http://www.eeoc.gov/policy/vii.html , Rehabilitation Act of 1973 http://www.dol.gov/esa/regs/compliance/ofccp/sec503.htm , Age Discrimination Act of 1978 http://www.eeoc.gov/policy/adea.html , http://www.usdoj.gov/crt/ada/pubs/ada.txt , Presidential Executive Order 11246 as amended by Executive Order 11375 http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/cfr_2002/julqtr/pdf/41cfr60-4.8.pdf
Memorandum of Understanding (MOU) http://www.dpa.ca.gov/collbarg/contract/bumenus.htm	See applicable MOU
Responsible Agency/Program	Federal Government, SPB, DFEH, DGS EEO Office
SPB/DPA Policy Memos http://www.spb.ca.gov/pinkies.htm	SPB Pinkies: 12/22/05, 12/20/05, 5/19/03, 12/23/02, 11/22/02, 8/29/02, 5/17/02, 4/12/02, 2/4/02, 1/10/02(2), 12/21/02(2), 1/3/01, 9/26/00, 9/5/00, 6/15/00, 12/14/99, 11/17/97, 5/6/92, 7/18/91, 11/14/90, 12/2/88, 10/20/88, 9/23/88, 5/10/88
Other	
Workers' Compensation/Return to Work Coordinator ADA DFEH	http://orim.dgs.ca.gov/WorkersCompensation/default.htm http://www.usdoj.gov/crt/ada/adahom1.htm http://www.dfeh.ca.gov/